

Emergency Management Competency 2.7

Competency 2.7 Emergency management personnel shall demonstrate a working level knowledge of the following Federal regulations related to emergency management.

- 10 CFR 835, Occupational Radiation Protection
- 18 CFR 12, Safety of Water Power Projects and Project Works
- 29 CFR 1910.38, Employee Emergency Plans and Fire Prevention Plans
- 29 CFR 1910.94, 96, 134, & 165 Occupational Safety and Health Act (OSHA)
- 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response
- 29 CFR 1910.1200, Hazard Communications
- 40 CFR 262, 264, & 280, Resource Conservation and Recovery Act (RCRA)
- 40 CFR 265, Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 49 CFR 172, Hazardous Materials Table, Special Provisions, Hazardous Materials Communication, Emergency Response Information, and Training Requirements
- Superfund Amendments and Reauthorization Act (SARA) Title III
- 40 CFR 350, Trade Secrecy Provisions and Information Disclosure Requirements
- 40 CFR 355, Facility Notification and Release Reporting Requirements
- 40 CFR 370, Hazardous Chemical Inventory Reporting Requirements
- 40 CFR 372, Toxic Release Reporting Requirements
- 40 CFR 300 & 302, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA)
- Clean Air Act Amendments
- Oil Pollution Act
- 40 CFR 112 & 117, Clean Water Act (CWA)

Emergency Management Competency 2.7

1. Supporting Knowledge and Skills

- a. Discuss the relationship between the requirements of Department of Energy Emergency Management Orders and the above listed Federal Regulations that govern Department operations.
- b. Discuss 18 CFR 12, Subpart C, the Oil Pollution Act of 1990, Section 4202(a)(6) and 40 CFR 300, the National Oil and Hazardous Substances Pollution Contingency Plan.
- c. Discuss 29 CFR 1910.120 and its impact on defense nuclear facility operations and the training and qualification of emergency response personnel.
- d. Discuss the transition from emergency response to post emergency response.
- e. Discuss the differences between a Hazardous Materials (HAZMAT) Team and a Fire Brigade as identified in 29 CFR 1910.120, 40 CFR 264, and 40 CFR 265.
- f. Define the roles and responsibilities of the State Emergency Response Commission (SERC) as required by the Superfund Amendments and Reauthorization Act, Title III.
- g. Discuss the off-site notifications required by 40 CFR 302 and 355 as directed in the Emergency Management Guide (EMG) dealing with notifications.
- h. Define the roles and responsibilities of the Local Emergency Planning Committees as required by the Superfund Amendments and Reauthorization Act, Title III.
- i. Specify the required emergency response training for “site workers,” and those who are not “on-site” on a regular basis.
- j. Discuss the similarities and differences of the Emergency Response Plan identified in 29 CFR 1910.120 versus the emergency plan requirements of DOE Order 5500.3, Planning and Preparedness for Operational Emergencies.
- k. Explain the five levels of hazardous materials response as identified in 29 CFR 1910.120.
- l. Discuss the requirements of 40 CFR 264 & 265 with regard to emergency response organizations and its relationship to DOE Order 5500.3, Planning and Preparedness for Operational Emergencies.

Emergency Management Competency 2.7

- m. Discuss the 40 CFR 264 & 265 requirements with regard to “Contingency Plans” and their relationship to the requirements of DOE Order 5500.3, Planning and Preparedness for Operational Emergencies.

2. Self-Study Activities (corresponding to the intent of the above competency)

Below are two web sites containing many of the references you may need.

Web Sites		
Organization	Site Location	Notes
Department of Energy	http://wastenot.inel.gov/cted/stdguido.html	DOE Standards, Guides, and Orders
U.S. House of Representatives	http://law.house.gov/cfr.htm	Searchable Code of Federal Regulations

Scan each of the following regulations:

- 29 CFR 1910.120, “Hazardous Waste Operations and Emergency Response”
- 29 CFR 1910.1200, “Hazard Communications”
- 40 CFR 262, “Resource Conservation and Recovery Act (RCRA)”
- Superfund Amendments and Reauthorization Act (SARA) Title III
- 40 CFR 355, “Facility Notification and Release Reporting Requirements”
- 40 CFR 300 and 302, “Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)”
- 49 CFR 172, “Hazardous Materials Table, Special Provisions, Hazardous Materials Communication, Emergency Response Information, and Training Requirements”

EXERCISE 2.7-A Locate and read the scope and application sections of 29 CFR 1910.120 and 1200.

EXERCISE 2.7-B From 29 CFR 1910.120 (q), list the five levels of emergency responders.

EXERCISE 2.7-C Locate and read the scope, application, and general organization concepts sections of 40 CFR 300. What are the composition and responsibilities of the National Response Team?

Emergency Management Competency 2.7

- EXERCISE 2.7-D Using 40 CFR 302, identify the reportable quantities for the hazardous substances dimethyl sulfate, nitric acid, and trichloroethylene.
- EXERCISE 2.7-E (a) What is the order of precedence for the following DOE and Federal regulations and (b) what factor is of primary consideration?
- DOE Order 5000.3B
 - DOE Order 5500.1B
 - DOE Order 5500.3
 - 29 CFR 1910.120
 - 40 CFR 300
- EXERCISE 2.7-F What emergency situation status must exist before initiating post-emergency responses?
- EXERCISE 2.7-G What are the hazardous waste operations and emergency response training requirements for managers and supervisors?
- EXERCISE 2.7-H Locate and read the scope and application sections of the following regulations:
- 10 CFR 835, "Occupational Radiation Protection"
 - 18 CFR 12, "Safety of Water Power Projects and Project Works"
 - 29 CFR 1910.38, "Employee Emergency Plans and Fire Prevention Plans"
 - 29 CFR 1910.94, 96, 134, and 165, "Occupational Safety and Health Act (OSHA)"
 - 40 CFR 265, "Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"
 - 40 CFR 350, "Trade Secrecy Provisions and Information Disclosure Requirements"
 - 40 CFR 355, "Facility Notification and Release Reporting Requirements"
 - 40 CFR 370, "Hazardous Chemical Inventory Reporting Requirements"
 - 40 CFR 372, "Toxic Release Reporting Requirements"
 - Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA)
 - Clean Air Act Amendments
 - Oil Pollution Act
 - 40 CFR 112 and 117, "Clean Water Act (CWA)"

Emergency Management Competency 2.7

3. Summary

Scan the CFRs listed in the competency. Various regulations exist related to emergency management. An emergency management professional should read, discuss, and apply those regulations on a daily basis.

4. Exercise Solutions

EXERCISE 2.7-A Locate and read the scope and application sections of 29 CFR 1910.120 and 1200.

ANSWER 2.7-A Refer to 29 CFR 1910.120 and 1200.

EXERCISE 2.7-B From 29 CFR 1910.120 (q), list the five levels of emergency responders.

ANSWER 2.7-B

1. First responder awareness level
2. First responder operations level
3. Hazardous Materials Technician
4. Hazardous Materials Specialist
5. On-Scene Incident Commander

EXERCISE 2.7-C Locate and read the scope, application, and general organization concepts sections of 40 CFR 300. What are the composition and responsibilities of the National Response Team?

ANSWER 2.7-C The team is responsible for national response and preparedness planning, for coordinating regional planning, and for providing policy guidance and support to the regional response teams. The team consists of representatives from the following agencies: U.S. Coast Guard (co-chair); EPA (chair); Federal Emergency Management Agency (FEMA); Departments of Defense, Energy, Agriculture, Commerce, Health and Human Services, Interior, Justice, Labor, and Transportation; Nuclear Regulatory Commission (NRC); and National Response Center.

Emergency Management Competency 2.7

EXERCISE 2.7-D Using 40 CFR 302, identify the reportable quantities for the hazardous substances dimethyl sulfate, nitric acid, and trichloroethylene.

ANSWER 2.7-D dimethyl sulfate - 100 pounds
 nitric acid - 1,000 pounds
 trichloroethylene - 100 pounds

EXERCISE 2.7-E (a) What is the order of precedence for the following DOE and Federal regulations, and (b) what factor is of primary consideration?

- DOE Order 5000.3B
- DOE Order 5500.1B
- DOE Order 5500.3
- 29 CFR 1910.120
- 40 CFR 300

ANSWER 2.7-E (a) • 40 CFR 300
 • 29 CFR 1910.120
 • DOE Order 5500.3
 • DOE Order 5500.1B
 • DOE Order 5000.3B
(b) “if there is a conflict or overlap, the provision that is more protective of employee safety and health shall apply. . .” (§1910.120).

EXERCISE 2.7-F What emergency situation status must exist before initiating post-emergency responses?

ANSWER 2.7-F The immediate threat of a release has been stabilized or eliminated.

EXERCISE 2.7-G What are the hazardous waste operations and emergency response training requirements for managers and supervisors?

ANSWER 2.7-G Forty hours of initial training (the content to include names of personnel responsible for site safety and health, hazards present on the site, use of personal protective equipment, work practices to minimize risk, safe use of engineering controls and equipment on site, medical surveillance) and three days of supervised field experience (§1910.120(e)(4)).

Emergency Management Competency 2.7

- EXERCISE 2.7-H Locate and read the scope and application sections of the following regulations:
- 10 CFR 835, "Occupational Radiation Protection"
 - 18 CFR 12, "Safety of Water Power Projects and Project Works"
 - 29 CFR 1910.38, "Employee Emergency Plans and Fire Prevention Plans"
 - 29 CFR 1910.94, 96, 134, and 165, "Occupational Safety and Health Act (OSHA)"
 - 40 CFR 265, "Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities"
 - 40 CFR 350, "Trade Secrecy Provisions and Information Disclosure Requirements"
 - 40 CFR 355, "Facility Notification and Release Reporting Requirements"
 - 40 CFR 370, "Hazardous Chemical Inventory Reporting Requirements"
 - 40 CFR 372, "Toxic Release Reporting Requirements"
 - Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA)
 - Clean Air Act Amendments
 - Oil Pollution Act
 - 40 CFR 112 and 117, "Clean Water Act (CWA)"

ANSWER 2.7-H Refer to the listed regulations.